

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: : x
: :
: Chapter 7
ORLY GENGER, : :
: Case No.: 19-13895 (JLG)
Debtor. : :
: x

AMENDED SCHEDULING ORDER¹

The Court hereby establishes a hearing date, objection deadlines and reply deadlines in connection with (i) *Judgment Creditor Sagi Genger's Amended and Updated Motion to Dismiss and Memorandum of Law in Support* [Dkt. No. 239] (the “**Motion to Dismiss**”) and (ii) the *Chapter 7 Trustee's Motion for Order Pursuant to Sections 105, 363, and 364 of the Bankruptcy Code and Bankruptcy Rules 2002, 4001, 6004, 9006 and 9019: Approving (A) Settlement Agreement, (B) Sale of The Debtor's Estate's Causes of Action Against Certain Third Parties, and (C) Financing To Support the Continued Administration of the Case and (D) Granting Related Relief* (the “**Trustee's Motion**”) [Dkt. No. 248]. It is hereby **ORDERED** that:

1. The hearing on the Motion to Dismiss and the Trustee's Motion will be held on **June 16, 17 and 18, 2021, commencing each day at 10:00 a.m. (the “Hearing”)** before The Honorable James L. Garrity, Jr., United States Bankruptcy Judge, in his Courtroom 723 at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, provided however that the Hearing may be conducted via zoom at the Court's discretion.

¹ This Scheduling Order amends the order entered at ECF No. 416 to account for the Memorial Day holiday.

2. Any responses or objections (collectively, the “**Objections**”) to the Motion to Dismiss and Trustee’s Motion must be in writing, conform to the Bankruptcy Code, the Bankruptcy Rules and the Court’s Local Rules, be electronically filed with the Bankruptcy Court in accordance with General Order No. M-399, which, along with the User’s Manual for the Electronic Case Filing System, can be found at the Court’s Website, and be served so as to be received by email no later than **June 1, 2021 at 2:00 p.m.** (the “**Objection Deadline**”) by: (i) the Bankruptcy Judge (with two hard copies clearly marked “Chambers Copy” delivered to the Court to the attention of Chambers of The Honorable James L. Garrity, Jr. within one day of filing), (ii) Tarter Krinsky & Drogin LLP, 1350 Broadway, 11th Floor, New York, New York 10018, Attn: Rocco A. Cavaliere, Esq. (rcavaliere@tarterkrinsky.com), (iii) Emmet Marvin & Martin, 120 Broadway, 32nd Floor, New York, New York 10271, Attn: John Dellaportas, Esq. and Thomas Pitta (jdellaportas@emmetmarvin.com and tpitta@emmetmarvin.com), (iv) all parties having filed Notices of Appearance in this case at the addresses set forth in the Notices of Appearance, and (v) the Office of the United States Trustee for the Southern District of New York, 201 Varick Street, Suite 1006, New York, New York 10014, Attn: Richard Morrissey, Esq. (the “**Notice Parties**”).

3. All replies to any Objections shall be filed and served in the manner described in paragraph 2 herein by no later than **June 7, 2021** (the “**Reply Deadline**”).

4. Any pre-trial motions, including motions *in limine* (the “**Pre-Trial Motions**”), shall be filed and served in the manner described in paragraph 2 herein by no later than **June 1, 2021**.

5. Any responses or objections to the Pre-Trial Motions shall be filed and served in the manner described in paragraph 2 herein by no later than **June 7, 2021**.

6. **A Pre-Hearing Conference will be held by telephone on June 2, 2021 at 10:00 a.m. to discuss matters relating to presenting witnesses, evidence and gaining access to the courthouse. [JLG]**

7. The Court may modify the dates set forth herein for good cause shown.
8. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: New York, New York
May 20, 2021

/s/ *James L. Garrity, Jr.*

HONORABLE JAMES L. GARRITY, JR.
UNITED STATES BANKRUPTCY JUDGE